



# Piers Park III Test Borings

## Boston, MA

**Notice of Intent**

**March 20, 2019**

submitted to **Boston Conservation Commission**

submitted by **The Trustees of Reservation**

prepared by **Fort Point Associates, Inc.**

in association with  
**Massachusetts Port Authority**  
**Haley & Aldrich, Inc.**



**Fort Point Associates, Inc.**

Urban Planning   Environmental Consulting   Project Permitting

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# TRANSMITTAL FORM



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands  
**NOI Wetland Fee Transmittal Form**  
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

**Important:** When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



## A. Applicant Information

### 1. Location of Project:

Pier 3, Marginal Street

a. Street Address

241210

c. Check number

Boston

b. City/Town

\$42.50

d. Fee amount

### 2. Applicant Mailing Address:

Nick

a. First Name

Black

b. Last Name

The Trustees of Reservations

c. Organization

200 High Street

d. Mailing Address

Boston

e. City/Town

MA

f. State

02110

g. Zip Code

(617) 542-7696

h. Phone Number

i. Fax Number

nblack@thetrustees.org

j. Email Address

### 3. Property Owner (if different):

James

a. First Name

Stolecki

b. Last Name

Massachusetts Port Authority

c. Organization

One Harborside Drive, Suite 200S

d. Mailing Address

Boston

e. City/Town

MA

f. State

02128-2909

g. Zip Code

(617) 568-3552

h. Phone Number

i. Fax Number

jstolecki@massport.com

j. Email Address

## B. Fees

Fee should be calculated using the following process & worksheet. **Please see Instructions before filling out worksheet.**

**Step 1/Type of Activity:** Describe each type of activity that will occur in wetland resource area and buffer zone.

**Step 2/Number of Activities:** Identify the number of each type of activity.

**Step 3/Individual Activity Fee:** Identify each activity fee from the six project categories listed in the instructions.

**Step 4/Subtotal Activity Fee:** Multiply the number of activities (identified in Step 2) times the fee per category (identified in Step 3) to reach a subtotal fee amount. Note: If any of these activities are in a Riverfront Area in addition to another Resource Area or the Buffer Zone, the fee per activity should be multiplied by 1.5 and then added to the subtotal amount.

**Step 5/Total Project Fee:** Determine the total project fee by adding the subtotal amounts from Step 4.

**Step 6/Fee Payments:** To calculate the state share of the fee, divide the total fee in half and subtract \$12.50. To calculate the city/town share of the fee, divide the total fee in half and add \$12.50.

To calculate filing fees, refer to the category fee list and examples in the instructions for filling out WPA Form 3 (Notice of Intent).



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**B. Fees** (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
1(f) Monitoring Wells (borings)	1	\$110	\$110.00

**Step 5/Total Project Fee:**

**Step 6/Fee Payments:**

Total Project Fee:	\$110.00
	a. Total Fee from Step 5
State share of filing Fee:	\$42.50
	b. 1/2 Total Fee <b>less</b> \$12.50
City/Town share of filing Fee:	\$75.00 (Boston fee)
	c. 1/2 Total Fee <b>plus</b> \$12.50

**C. Submittal Requirements**

- a.) Complete pages 1 and 2 and send with a check or money order for the state share of the fee, payable to the Commonwealth of Massachusetts.

Department of Environmental Protection  
Box 4062  
Boston, MA 02211

- b.) **To the Conservation Commission:** Send the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and the city/town fee payment.

**To MassDEP Regional Office** (see Instructions): Send a copy of the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and a **copy** of the state fee payment. (E-filers of Notices of Intent may submit these electronically.)





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WPA FORM 3



**Massachusetts Department of Environmental Protection**  
Bureau of Resource Protection - Wetlands

**WPA Form 3 – Notice of Intent**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Boston

City/Town

**Important:**

When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



Note:  
Before completing this form consult your local Conservation Commission regarding any municipal bylaw or ordinance.

**A. General Information**

1. Project Location (**Note:** electronic filers will click on button to locate project site):

Pier 3, Marginal Street

a. Street Address

Boston

b. City/Town

02128

c. Zip Code

Latitude and Longitude:

42° 21' 51"

d. Latitude

71° 02' 19"

e. Longitude

0104446000

g. Parcel /Lot Number

f. Assessors Map/Plat Number

2. Applicant:

Nick

a. First Name

Black

b. Last Name

The Trustees of Reservations

c. Organization

200 High Street

d. Street Address

Boston

e. City/Town

MA

f. State

02110

g. Zip Code

(617) 542-7696

h. Phone Number

i. Fax Number

nblack@thetrustees.org

j. Email Address

3. Property owner (required if different from applicant):

☐ Check if more than one owner

James

a. First Name

Stolecki

b. Last Name

Massachusetts Port Authority

c. Organization

One Harborside Drive, Suite 200S

d. Street Address

Boston

e. City/Town

MA

f. State

02128-2909

g. Zip Code

(617) 568-3552

h. Phone Number

i. Fax Number

jstolecki@massport.com

j. Email address

4. Representative (if any):

Jamie

a. First Name

Fay

b. Last Name

Fort Point Associates, Inc.

c. Company

31 State Street, 3rd Floor

d. Street Address

Boston

e. City/Town

MA

f. State

02109

g. Zip Code

(617) 357-7044

h. Phone Number

i. Fax Number

jfay@fpa-inc.com

j. Email address

5. Total WPA Fee Paid (from NOI Wetland Fee Transmittal Form):

\$117.50

a. Total Fee Paid

\$42.50

b. State Fee Paid

\$75.00

c. City/Town Fee Paid



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**A. General Information (continued)**

6. General Project Description:

Two test borings measuring 3-4 inches in diameter drilled to a depth of approximately 75' below the mudline to perform preliminary geotechnical analysis of Pier 3 in East Boston.

7a. Project Type Checklist: (Limited Project Types see Section A. 7b.)

- |   |   |
|---|---|
| 1. <input type="checkbox"/> Single Family Home                        | 2. <input type="checkbox"/> Residential Subdivision       |
| 3. <input type="checkbox"/> Commercial/Industrial                     | 4. <input type="checkbox"/> Dock/Pier                     |
| 5. <input type="checkbox"/> Utilities                                 | 6. <input type="checkbox"/> Coastal engineering Structure |
| 7. <input type="checkbox"/> Agriculture (e.g., cranberries, forestry) | 8. <input type="checkbox"/> Transportation                |
| 9. <input checked="" type="checkbox"/> Other                          |   |

7b. Is any portion of the proposed activity eligible to be treated as a limited project (including Ecological Restoration Limited Project) subject to 310 CMR 10.24 (coastal) or 310 CMR 10.53 (inland)?

1. ☐ Yes ☒ No If yes, describe which limited project applies to this project. (See 310 CMR 10.24 and 10.53 for a complete list and description of limited project types)

2. Limited Project Type

If the proposed activity is eligible to be treated as an Ecological Restoration Limited Project (310 CMR 10.24(8), 310 CMR 10.53(4)), complete and attach Appendix A: Ecological Restoration Limited Project Checklist and Signed Certification.

8. Property recorded at the Registry of Deeds for:

Suffolk

a. County

29584

c. Book

b. Certificate # (if registered land)

218

d. Page Number

**B. Buffer Zone & Resource Area Impacts (temporary & permanent)**

- ☐ Buffer Zone Only – Check if the project is located only in the Buffer Zone of a Bordering Vegetated Wetland, Inland Bank, or Coastal Resource Area.
- ☐ Inland Resource Areas (see 310 CMR 10.54-10.58; if not applicable, go to Section B.3, Coastal Resource Areas).

Check all that apply below. Attach narrative and any supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.



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**B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)**

For all projects affecting other Resource Areas, please attach a narrative explaining how the resource area was delineated.

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
a. <input type="checkbox"/> Bank	1. linear feet	2. linear feet
b. <input type="checkbox"/> Bordering Vegetated Wetland	1. square feet	2. square feet
c. <input type="checkbox"/> Land Under Waterbodies and Waterways	1. square feet 3. cubic yards dredged	2. square feet

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
d. <input type="checkbox"/> Bordering Land Subject to Flooding	1. square feet 3. cubic feet of flood storage lost	2. square feet 4. cubic feet replaced
e. <input type="checkbox"/> Isolated Land Subject to Flooding	1. square feet 2. cubic feet of flood storage lost	3. cubic feet replaced
f. <input type="checkbox"/> Riverfront Area	1. Name of Waterway (if available) - <b>specify coastal or inland</b>	

2. Width of Riverfront Area (check one):

- ☐ 25 ft. - Designated Densely Developed Areas only
- ☐ 100 ft. - New agricultural projects only
- ☐ 200 ft. - All other projects

3. Total area of Riverfront Area on the site of the proposed project: \_\_\_\_\_ square feet

4. Proposed alteration of the Riverfront Area:

a. total square feet \_\_\_\_\_ b. square feet within 100 ft. \_\_\_\_\_ c. square feet between 100 ft. and 200 ft. \_\_\_\_\_

5. Has an alternatives analysis been done and is it attached to this NOI? ☐ Yes ☐ No

6. Was the lot where the activity is proposed created prior to August 1, 1996? ☐ Yes ☐ No

3. ☒ Coastal Resource Areas: (See 310 CMR 10.25-10.35)

**Note:** for coastal riverfront areas, please complete **Section B.2.f.** above.





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**B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)**

Check all that apply below. Attach narrative and supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.

Online Users:  
Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
a. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below	
b. <input checked="" type="checkbox"/> Land Under the Ocean	0.4 sf borings 1. square feet	
	2. cubic yards dredged	
c. <input type="checkbox"/> Barrier Beach	Indicate size under Coastal Beaches and/or Coastal Dunes below	
d. <input type="checkbox"/> Coastal Beaches	1. square feet	2. cubic yards beach nourishment
e. <input type="checkbox"/> Coastal Dunes	1. square feet	2. cubic yards dune nourishment
	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
f. <input type="checkbox"/> Coastal Banks	1. linear feet	
g. <input type="checkbox"/> Rocky Intertidal Shores	1. square feet	
h. <input type="checkbox"/> Salt Marshes	1. square feet	2. sq ft restoration, rehab., creation
i. <input type="checkbox"/> Land Under Salt Ponds	1. square feet	
	2. cubic yards dredged	
j. <input type="checkbox"/> Land Containing Shellfish	1. square feet	
k. <input type="checkbox"/> Fish Runs	Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above	
	1. cubic yards dredged	
l. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	1. square feet	
4. <input type="checkbox"/> Restoration/Enhancement		
If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.2.b or B.3.h above, please enter the additional amount here.		
a. square feet of BVW		b. square feet of Salt Marsh

5. ☐ Project Involves Stream Crossings

a. number of new stream crossings

b. number of replacement stream crossings



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**C. Other Applicable Standards and Requirements**

- ☐ This is a proposal for an Ecological Restoration Limited Project. Skip Section C and complete Appendix A: Ecological Restoration Limited Project Checklists – Required Actions (310 CMR 10.11).

**Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review**

1. Is any portion of the proposed project located in **Estimated Habitat of Rare Wildlife** as indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife published by the Natural Heritage and Endangered Species Program (NHESP)? To view habitat maps, see the *Massachusetts Natural Heritage Atlas* or go to [http://maps.massgis.state.ma.us/PRI\\_EST\\_HAB/viewer.htm](http://maps.massgis.state.ma.us/PRI_EST_HAB/viewer.htm).

- a. ☐ Yes ☒ No **If yes, include proof of mailing or hand delivery of NOI to:**

**Natural Heritage and Endangered Species Program**  
**Division of Fisheries and Wildlife**  
**1 Rabbit Hill Road**  
**Westborough, MA 01581**

14th Edition, 2017

b. Date of map

If yes, the project is also subject to Massachusetts Endangered Species Act (MESA) review (321 CMR 10.18). To qualify for a streamlined, 30-day, MESA/Wetlands Protection Act review, please complete Section C.1.c, and include requested materials with this Notice of Intent (NOI); *OR* complete Section C.2.f, if applicable. *If MESA supplemental information is not included with the NOI, by completing Section 1 of this form, the NHESP will require a separate MESA filing which may take up to 90 days to review (unless noted exceptions in Section 2 apply, see below).*

- c. Submit Supplemental Information for Endangered Species Review\*

1. ☐ Percentage/acreage of property to be altered:

(a) within wetland Resource Area

percentage/acreage

(b) outside Resource Area

percentage/acreage

2. ☐ Assessor's Map or right-of-way plan of site

2. ☒ Project plans for entire project site, including wetland resource areas and areas outside of wetlands jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work \*\*

(a) ☒ Project description (including description of impacts outside of wetland resource area & buffer zone)

(b) ☒ Photographs representative of the site

\* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see <http://www.mass.gov/eea/agencies/dfg/dfw/natural-heritage/regulatory-review/>). Priority Habitat includes habitat for state-listed plants and strictly upland species not protected by the Wetlands Protection Act.

\*\* MESA projects may not be segmented (321 CMR 10.16). The applicant must disclose full development plans even if such plans are not required as part of the Notice of Intent process.



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City/Town

**C. Other Applicable Standards and Requirements (cont'd)**

- (c) ☐ MESA filing fee (fee information available at [http://www.mass.gov/dfwele/dfw/nhosp/regulatory\\_review/ mesa/ mesa\\_fee\\_schedule.htm](http://www.mass.gov/dfwele/dfw/nhosp/regulatory_review/ mesa/ mesa_fee_schedule.htm)).  
Make check payable to "Commonwealth of Massachusetts - NHESP" and **mail to NHESP** at above address

*Projects altering 10 or more acres of land, also submit:*

- (d) ☐ Vegetation cover type map of site
- (e) ☐ Project plans showing Priority & Estimated Habitat boundaries
- (f) OR Check One of the Following
1. ☐ Project is exempt from MESA review.  
Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, [http://www.mass.gov/dfwele/dfw/nhosp/regulatory\\_review/ mesa/ mesa\\_exemptions.htm](http://www.mass.gov/dfwele/dfw/nhosp/regulatory_review/ mesa/ mesa_exemptions.htm); the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59.)
  2. ☐ Separate MESA review ongoing. a. NHESP Tracking # \_\_\_\_\_ b. Date submitted to NHESP \_\_\_\_\_
  3. ☐ Separate MESA review completed.  
Include copy of NHESP "no Take" determination or valid Conservation & Management Permit with approved plan.
3. For coastal projects only, is any portion of the proposed project located below the mean high water line or in a fish run?
- a. ☐ Not applicable – project is in inland resource area only      b. ☒ Yes    ☐ No

If yes, include proof of mailing, hand delivery, or electronic delivery of NOI to either:

South Shore - Cohasset to Rhode Island border, and the Cape & Islands:

Division of Marine Fisheries -  
Southeast Marine Fisheries Station  
Attn: Environmental Reviewer  
836 South Rodney French Blvd.  
New Bedford, MA 02744  
Email: [DMF.EnvReview-South@state.ma.us](mailto:DMF.EnvReview-South@state.ma.us)

North Shore - Hull to New Hampshire border:

Division of Marine Fisheries -  
North Shore Office  
Attn: Environmental Reviewer  
30 Emerson Avenue  
Gloucester, MA 01930  
Email: [DMF.EnvReview-North@state.ma.us](mailto:DMF.EnvReview-North@state.ma.us)

Also if yes, the project may require a Chapter 91 license. For coastal towns in the Northeast Region, please contact MassDEP's Boston Office. For coastal towns in the Southeast Region, please contact MassDEP's Southeast Regional Office.



**Massachusetts Department of Environmental Protection**  
Bureau of Resource Protection - Wetlands

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City/Town

**C. Other Applicable Standards and Requirements (cont'd)**

**Online Users:**

Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

4. Is any portion of the proposed project within an Area of Critical Environmental Concern (ACEC)?  
a. ☐ Yes ☒ No If yes, provide name of ACEC (see instructions to WPA Form 3 or MassDEP Website for ACEC locations). **Note:** electronic filers click on Website.
- b. ACEC
5. Is any portion of the proposed project within an area designated as an Outstanding Resource Water (ORW) as designated in the Massachusetts Surface Water Quality Standards, 314 CMR 4.00?  
a. ☐ Yes ☒ No
6. Is any portion of the site subject to a Wetlands Restriction Order under the Inland Wetlands Restriction Act (M.G.L. c. 131, § 40A) or the Coastal Wetlands Restriction Act (M.G.L. c. 130, § 105)?  
a. ☐ Yes ☒ No
7. Is this project subject to provisions of the MassDEP Stormwater Management Standards?  
a. ☐ Yes. Attach a copy of the Stormwater Report as required by the Stormwater Management Standards per 310 CMR 10.05(6)(k)-(q) and check if:  
1. ☐ Applying for Low Impact Development (LID) site design credits (as described in Stormwater Management Handbook Vol. 2, Chapter 3)  
2. ☐ A portion of the site constitutes redevelopment  
3. ☐ Proprietary BMPs are included in the Stormwater Management System.  
b. ☒ No. Check why the project is exempt:  
1. ☐ Single-family house  
2. ☐ Emergency road repair  
3. ☐ Small Residential Subdivision (less than or equal to 4 single-family houses or less than or equal to 4 units in multi-family housing project) with no discharge to Critical Areas.

**D. Additional Information**

- ☐ This is a proposal for an Ecological Restoration Limited Project. Skip Section D and complete Appendix A: Ecological Restoration Notice of Intent – Minimum Required Documents (310 CMR 10.12).

Applicants must include the following with this Notice of Intent (NOI). See instructions for details.

**Online Users:** Attach the document transaction number (provided on your receipt page) for any of the following information you submit to the Department.

1. ☒ USGS or other map of the area (along with a narrative description, if necessary) containing sufficient information for the Conservation Commission and the Department to locate the site. (Electronic filers may omit this item.)
2. ☒ Plans identifying the location of proposed activities (including activities proposed to serve as a Bordering Vegetated Wetland [BVW] replication area or other mitigating measure) relative to the boundaries of each affected resource area.





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**D. Additional Information (cont'd)**

3. ☐ Identify the method for BVW and other resource area boundary delineations (MassDEP BVW Field Data Form(s), Determination of Applicability, Order of Resource Area Delineation, etc.), and attach documentation of the methodology.
4. ☒ List the titles and dates for all plans and other materials submitted with this NOI.
- See Attachment C, Project Plans
- a. Plan Title \_\_\_\_\_
- b. Prepared By \_\_\_\_\_ c. Signed and Stamped by \_\_\_\_\_
- d. Final Revision Date \_\_\_\_\_ e. Scale \_\_\_\_\_
- f. Additional Plan or Document Title \_\_\_\_\_ g. Date \_\_\_\_\_
5. ☐ If there is more than one property owner, please attach a list of these property owners not listed on this form.
6. ☐ Attach proof of mailing for Natural Heritage and Endangered Species Program, if needed.
7. ☒ Attach proof of mailing for Massachusetts Division of Marine Fisheries, if needed.
8. ☒ Attach NOI Wetland Fee Transmittal Form
9. ☐ Attach Stormwater Report, if needed.

**E. Fees**

1. ☐ Fee Exempt: No filing fee shall be assessed for projects of any city, town, county, or district of the Commonwealth, federally recognized Indian tribe housing authority, municipal housing authority, or the Massachusetts Bay Transportation Authority.

Applicants must submit the following information (in addition to pages 1 and 2 of the NOI Wetland Fee Transmittal Form) to confirm fee payment:

241210

2. Municipal Check Number

241211

4. State Check Number

Trustees

6. Payor name on check: First Name

March 11, 2019

3. Check date

March 11, 2019

5. Check date

7. Payor name on check: Last Name



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## WPA Form 3 – Notice of Intent

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### F. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Notice of Intent and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge. I understand that the Conservation Commission will place notification of this Notice in a local newspaper at the expense of the applicant in accordance with the wetlands regulations, 310 CMR 10.05(5)(a).

I further certify under penalties of perjury that all abutters were notified of this application, pursuant to the requirements of M.G.L. c. 131, § 40. Notice must be made by Certificate of Mailing or in writing by hand delivery or certified mail (return receipt requested) to all abutters within 100 feet of the property line of the project location.

1. Signature of Applicant

3. Signature of Property Owner (if different)

5. Signature of Representative (if any)

2. Date

4. Date

6. Date

#### For Conservation Commission:

Two copies of the completed Notice of Intent (Form 3), including supporting plans and documents, two copies of the NOI Wetland Fee Transmittal Form, and the city/town fee payment, to the Conservation Commission by certified mail or hand delivery.

#### For MassDEP:

One copy of the completed Notice of Intent (Form 3), including supporting plans and documents, one copy of the NOI Wetland Fee Transmittal Form, and a **copy** of the state fee payment to the MassDEP Regional Office (see Instructions) by certified mail or hand delivery.

#### Other:

If the applicant has checked the "yes" box in any part of Section C, Item 3, above, refer to that section and the Instructions for additional submittal requirements.

The original and copies must be sent simultaneously. Failure by the applicant to send copies in a timely manner may result in dismissal of the Notice of Intent.

Attachment A

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SUPPLEMENTAL  
INFORMATION

# ATTACHMENT A: SUPPLEMENTAL INFORMATION

## 1. PROJECT SUMMARY

The Trustees of Reservations (Trustees or the “Proponent”) is filing this Notice of Intent (NOI) to conduct two borings for geotechnical analysis and preliminary evaluation of subsurface materials (the “Project”) near the existing dilapidated Pier 3 in East Boston (the “Project Site”). The Project Site is owned by the Massachusetts Port Authority (Massport), which released a Request for Proposals (RFP) in 2018 seeking proposed designs for the reuse of Pier 3 as a public open space park for Piers Park Phase III. As the sole respondent to the RFP, the Trustees have entered an agreement with Massport to conduct a preliminary site investigation to determine the cost of the proposed design and identify any challenges that may prevent further development of the Project Site.

## 2. EXISTING CONDITIONS

Pier 3 is bounded by Piers Park I to the northeast and the future site of Piers Park II to the north. To the west is the Portside at East Pier residential development, including the currently vacant Pier 1. Boston Harbor is located to the south. At least 250 feet separate Pier 3 from both Pier 1 on the west and Pier 4 to the east. See Figure 1, Locus Map and Figure 2, Aerial View and Existing Conditions Photographs Key.

The pier measures approximately 650 feet long by 255 feet wide and is a timber structure supported by piles with a variable width concrete apron along its perimeter. The northern half of the pier has an earth-filled core that measures approximately 30 feet wide at pier level. The Project Site is significantly deteriorated and has been condemned; it is currently fenced to prevent public use. The pier is reached by a gated access road leading from Marginal Street to the north, and an additional chain link fence separates the perimeter concrete apron from the timber structure.

The Project activities will take place on the water just west of the western edge of the pier and are located entirely below Mean Low Water (MLW) within the Land Under Ocean (LUO) resource area. According to the most recent Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) Map Number 25025C0081J, dated March 6, 2016, the entire pier is within a velocity zone with an elevation of +13 NAVD88. The pier is therefore subject to both inundation by the 100-year flood and additional high velocity wave action.

See Figure 3, Existing Conditions Photographs; Figure 4, FEMA FIRM; and Plan 1, Existing Site Plan.



### 3. PROJECT DESCRIPTION

The Proponent will conduct two investigative borings on the western perimeter of the pier to determine the geotechnical conditions of subsurface materials at the Project Site. The explorations will take place at the seaward end of the pier and at approximately half of its length. See Plan 2, Proposed Exploration Location Plan.

Borings will be conducted by drilling to bedrock using an over-water drill rig. Due to the unstable condition of the pier, no activity will directly contact the structure. The jack-up barge will be launched remotely and will not tie-off at the pier.

Site disturbance as a result of the borings is expected to be minimal and temporary. Each test boring is anticipated to measure approximately three to four (3-4) inches in diameter and reach a depth of 75 feet below the mudline, equivalent to about 110 feet below the high tide line. Over-sized casings measuring approximately six (6) inches in diameter will surround the borings and be sealed below the mudline to minimize mudline disturbance. Excess drilling spoils will be placed into 55-gallon drums on the barge and properly disposed of landside. Each test boring is anticipated to take approximately four (4) business days to complete, and all work is expected to be completed within eight to ten (8-10) days, weather permitting.

### 4. WETLAND RESOURCES

The Project will be conducted entirely over water and will therefore affect only the Land Under the Ocean resource area, which is subject to the Massachusetts Wetlands Protection Act (WPA) under state jurisdiction. The following sections describe the existing conditions of the resource area and identify the impacts of proposed work.

#### 4.1. LAND UNDER THE OCEAN

Land Under the Ocean is defined at 310 CMR 10.25(2) as:

*Land extending from the mean low water line seaward to the boundary of the municipality's jurisdiction and includes land under estuaries.*

The entirety of the Project Site is located below Mean Low Water (MLW), which is identified as elevation 1.29' Boston City Base (BCB) at the Project Site.

### 5. IMPACTS OF PROPOSED WORK

The Project has been designed to avoid impacts to resource areas and minimize impacts to areas where they are unavoidable. Construction period impacts are expected to be minimal and temporary due to the limited area and nature of the work. Each boring and its casing will have an impact of approximately 0.2 square feet (sf). Cumulative temporary impacts of the borings will amount to approximately 0.4 sf.

The proposed activities will not create any adverse impacts to the functions and values of any resource areas. All work will proceed in a manner that meets the performance standards outlined in state and local regulations, as described in the following sections.

## 6. COMPLIANCE WITH WETLAND REGULATIONS AND PERFORMANCE STANDARDS

The Project includes work within Land Under the Ocean. The following section identifies the performance standards associated with the impacted resource area and describes how Project activities will be undertaken in a manner to ensure compliance as required in 310 CMR 10.00.

### 6.1. LAND UNDER THE OCEAN – 310 CMR 10.25

*When Land Under the Ocean or Nearshore Areas of Land Under the Ocean are found to be significant to the protection of marine fisheries, protection of wildlife habitat, storm damage prevention or flood control, 310 CMR 10.25(3) through (7) shall apply:*

*(5) Projects not included in 310 CMR 10.25 (3) or 10.25 (4) which affect nearshore areas of land under the ocean shall not cause adverse effects by altering the bottom topography so as to increase storm damage or erosion of coastal beaches, coastal banks, coastal dunes, or salt marshes.*

310 CMR 10.25(3) and (4) apply to improvement dredging and maintenance dredging. Because the Project does not involve dredging, these standards do not apply. Each boring will temporarily alter approximately 0.2 sf of the bottom and will not affect the bottom topography.

*(6) Projects not included in 310 CMR 10.25 (3) which affect land under the ocean shall if water-dependent be designed and constructed, using the best available measures, so as to minimize adverse effects, and if non-water dependent, have no adverse effects, on marine fisheries habitat or wildlife habitat caused by:*

*(a) alterations in water circulation;*

*(b) destruction of eelgrass (*Zostera marina*) or widgeon grass (*Ruppia maritima*) beds;*

*(c) alterations in the distribution of sediment grain size*

*(d) changes in water quality, including, but not limited to, other than natural fluctuations in the level of dissolved oxygen, temperature or turbidity, or the addition of pollutants; or*

*(e) alterations of shallow submerged lands with high densities of polychaetes, mollusks, or macrophytic algae.*

All proposed activities are water-dependent. The test borings will only temporarily impact the resource area for the purpose of obtaining sediment samples for analysis. No permanent structures will be erected that would alter water circulation or sediment grain size distribution. Construction phase turbidity is expected to be minimal, as the use of oversized casings will contain the work within an enclosed system. No work will occur in proximity to eelgrass or widgeon grass beds.

*(7) Notwithstanding the provisions of 310 CMR 10.25 (3) through (6), no project may be permitted which will have any adverse effect on specified habitat sites of rare vertebrate or invertebrate species, as identified by procedures established under 310 CMR 10.37.*

The Project is not located within the specified habitat sites of rare vertebrate or invertebrate species.

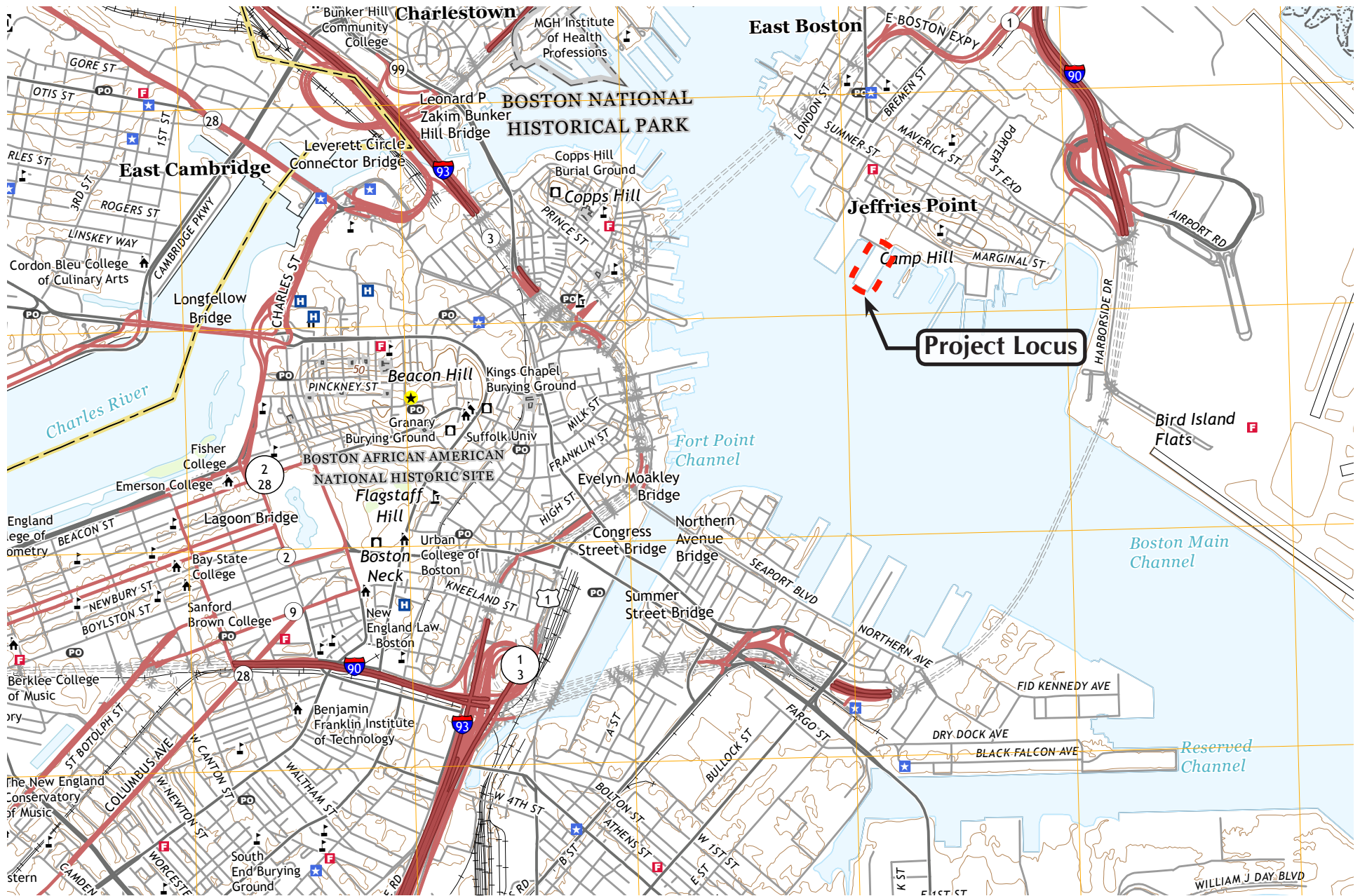
## **7. MITIGATION MEASURES**

The Project will cause few, if any, impacts to wetland resources. The Proponent will commit to the following mitigation measures to avoid or eliminate secondary impacts:

- There will be no discharge of any pollutants during construction or upon completion.
- The Project Site will be maintained in a clean and orderly manner during construction.
- Boring material will be containerized in drums on the barge and brought over water to landside for proper disposal.
- Casings approximately twice the diameter of the boring drill will be employed to maintain work within a closed system and minimize turbidity.
- A senior geologist will be on-site during all work activities to monitor for any sign of hazardous waste or a spill of hazardous materials.
- A Spill Management Plan will be prepared prior to work and available on-site so that procedures are easily followed in the event of a spill.

**8. PLANS SUBMITTED WITH THIS NOTICE OF INTENT**

<b>Title</b>	<b>Date</b>	<b>Scale</b>	<b>Author</b>
Existing Site Plan	March 2000	1" = 150'	Nucci Vine Associates, Inc.
Proposed Exploration Location Plan	March 2019	1" = 80'	Haley & Aldrich, Inc.











View 1: Looking Southwest toward Project Site



View 2: Looking Southwest along Concrete Apron

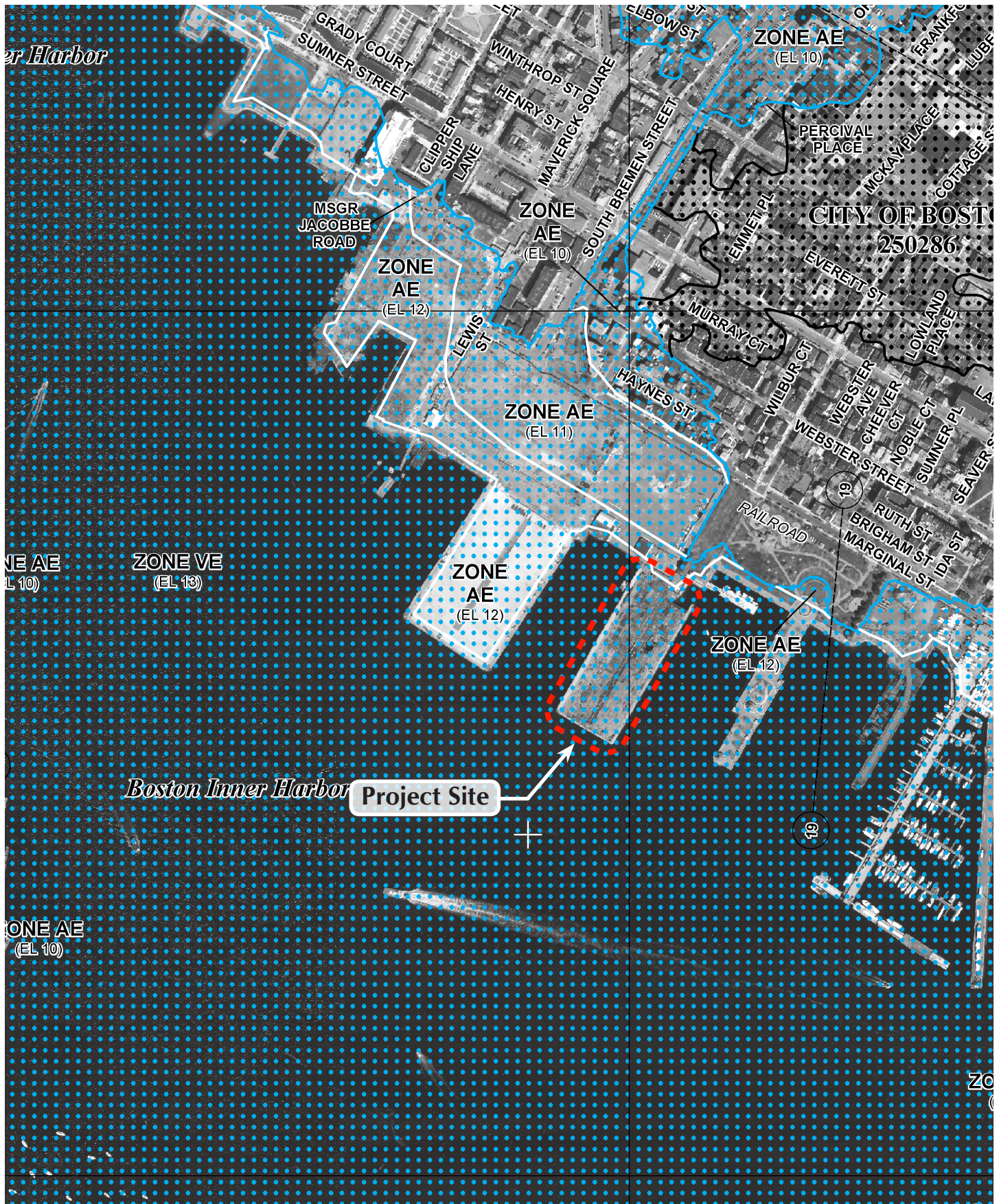


View 3: Looking Northeast across Project Site



View 4: Looking Northwest toward Project Site







## Attachment B

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# NOTIFICATION INFORMATION

## ATTACHMENT B: NOTIFICATION INFORMATION

The following table outlines abutters of the Project within 100 feet of the property line as gathered from the City of Boston Assessing Department.

Property	Owner Name	Owner Address	Parcel ID
Marginal Street Boston, MA 02128	Boston Parks and Recreation Commission	1010 Massachusetts Ave 3 <sup>rd</sup> Floor Boston, MA 02118	0104569000
Marginal Street, East Boston, MA 02128	Boston Parks and Recreation Commission	1010 Massachusetts Ave 3 <sup>rd</sup> Floor Boston, MA 02118	0104571000
110-A110 Marginal Street East Boston, MA 02128	Ezio Anello	124 Howard Street Saugus, MA 01906	0104519000
Marginal Street East Boston, MA 02128	Melissa Taylor	100 Marginal Street East Boston, MA 02128	0104472000
100 Marginal Street East Boston, MA 02128	Melissa Taylor	100 Marginal Street East Boston, MA 02128	0104470000
Marginal Street East Boston, MA 02128	Trustees of Reservations	200 High Street Boston, MA 02110	0104593000
Marginal Street East Boston, MA 02128	Boston Parks and Recreation Commission	1010 Massachusetts Ave 3 <sup>rd</sup> Floor Boston, MA 02118	0104572000
142 Marginal Street East Boston, MA 02128	Susan Zamos Lewis	142 Marginal Street East Boston, MA 02128	0104581000
68-68A Marginal Street East Boston, MA 02128	Landfall Townhouse Condo Trust	68E Marginal Street East Boston, MA 02128	0104448000
90 Marginal Street East Boston, MA 02128	Jose Vargas	90 Marginal Street East Boston, MA 02128	0104477000
91 Marginal Street East Boston, MA 02128	Christopher M. Lento	91 Marginal Street East Boston, MA 02128	0104476000
Marginal Street East Boston, MA 02128	Melissa Taylor	100 Marginal Street East Boston, MA 02128	0104471000
Marginal Street East Boston, MA 02128	Landfall Community Associates II LLC	72 Marginal Street East Boston MA, 02128	0104478000
Marginal Street East Boston, MA 02128	Copper Forge Partners, LLC	PO Box 1046 Brookline, MA 02446	0104480000

Property	Owner Name	Owner Address	Parcel ID
Marginal Street East Boston, MA 02128	Landfall Community Associates II LLC	72 Marginal Street East Boston, MA 02128	0104479000
37 Haynes Street East Boston, MA 02128	Anthony Pagliuca	37 Haynes Street East Boston, MA 02128	0104461000
Marginal Street East Boston, MA 02128	EBCDC	72 Marginal Street East Boston, MA 02128	0104481000
126-128 Marginal Street East Boston, MA 02128	Barnstable Village Commercial Real Estate LP	8 Alton Place Ste 2 Brookline, MA 02446	0104592000
Marginal Street East Boston, MA 02128	Mass Port Authority	1 Harborside Drive, 200S East Boston, MA 02128	0104447010
Marginal Street East Boston, MA 02128	Mass Port Authority	1 Harborside Drive, 200S East Boston, MA 02128	0104445010
Marginal Street East Boston, MA 02128	Mass Port Authority	1 Harborside Drive, 200S East Boston, MA 02128	0104446010
Marginal Street East Boston, MA 02128	Beverly A Soriano	146 Church Street Waltham, MA 02452	0104520000
Marginal Street East Boston, MA 02128	Boston Parks and Recreation Commission	1010 Massachusetts Ave 3 <sup>rd</sup> Floor Boston, MA 02118	0104567000
72-74 Marginal Street East Boston, MA 02128	Landfall Community Associates II LLC	72 Marginal Street East Boston, MA 02128	0104482000
92 Marginal Street East Boston, MA 02128	Christopher J. Morton	92 Marginal Street East Boston, MA 02128	0104475000
132 Marginal Street East Boston, MA 02128	Suzanne Cogliani	132 Marginal Street East Boston, MA 02128	0104590000
116 Marginal Street East Boston, MA 02128	Michael A Dwyer	116 Marginal Street East Boston, MA 02128	0104517000
136 Marginal Street East Boston, MA 02128	John C. Vitale	136 Marginal Street East Boston, MA 02128	0104584000
Marginal Street East Boston, MA 02128	Boston Parks and Recreation Commission	1010 Massachusetts Ave 3 <sup>rd</sup> Floor Boston, MA 02118	0104577000
2-6 Cottage Street East Boston, MA 02128	Robert C. Honan	4 Cottage Street East Boston, MA 02128	0104516000
Marginal Street East Boston, MA 02128	Mark Digiovanni	104 Marginal Street East Boston, MA 02128	0104469000
Marginal Street East Boston, MA 02128	Suzanne Cogliani	132 Marginal Street East Boston, MA 02128	0104591000

Property	Owner Name	Owner Address	Parcel ID
Marginal Street East Boston, MA 02128	Melissa Taylor	100 Marginal Street East Boston, MA 02128	0104473000
Marginal Street East Boston, MA 02128	Boston Parks and Recreation Commission	1010 Massachusetts Ave 3 <sup>rd</sup> Floor Boston, MA 02118	0104575000
112 Marginal Street East Boston, MA 02128	Louis Etal Valente	112 Marginal Street East Boston, MA 02128	0104518000
Marginal Street East Boston, MA 02128	Boston Parks and Recreation Commission	1010 Massachusetts Ave 3 <sup>rd</sup> Floor Boston, MA 02118	0104579000
Marginal Street East Boston, MA 02128	Boston Parks and Recreation Commission	1010 Massachusetts Ave 3 <sup>rd</sup> Floor Boston, MA 02118	0104573000
140 Marginal Street East Boston, MA 02128	Marc Lomanno	162 Winona Street West Peabody, MA 01960	0104582000
138 Marginal Street East Boston, MA 02128	Thomas F. Lanzilli	138 Marginal Street East Boston, MA 02128	0104583000
106 Marginal Street East Boston, MA 02128	Mark Digiovanni	176 Sea Road Kennebunk, ME 04043	0104467000
104 Marginal Street East Boston, MA 02128	Mark Digiovanni	104 Marginal Street East Boston, MA 02128	0104468000
Marginal Street East Boston, MA 02128	Boston Parks and Recreation Commission	1010 Massachusetts Ave 3 <sup>rd</sup> Floor Boston, MA 02118	0104568000
Marginal Street East Boston, MA 02128	Boston Parks and Recreation Commission	1010 Massachusetts Ave 3 <sup>rd</sup> Floor Boston, MA 02118	0104570000

**Notification to Abutters Under the  
Massachusetts Wetlands Protection Act**

In accordance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40, you are hereby notified of the following:

- A. The name of the applicant is **The Trustees of Reservations**. The applicant has filed a Notice of Intent with the Conservation Commission for the municipality of **Boston** seeking permission to alter an Area Subject to Protection under the Wetlands Protection Act (General Laws Chapter 131, section 40).
- B. The address of the lot where the activity is proposed **Pier 3 in East Boston, Massachusetts, 02128.**
- C. Copies of the notice of Intent may be examined at **Boston City Hall** between the hours of **9 AM and 5 PM** on the following days of the weeks: **Monday through Friday.** For more information, call Boston City Hall at **(617) 635-3850.**
- D. Copies of the Notice of Intent may be obtained from the applicant's representative by calling this telephone number **(617) 357-7044 x 200** between the hours of **9 AM and 5 PM** on the following days of the week: **Monday through Friday.**
- E. Information regarding the date, time, and place of the public hearing may be obtained from **Boston Conservation Commission** by calling this telephone number: **(617) 635-3850** between the hours of and on the following days of the week: **9 AM to 5 PM, Monday through Friday.**

NOTE: Notice of the public hearing, including its date, time, and place, will be published at least five (5) days in advance in the **Boston Herald.**

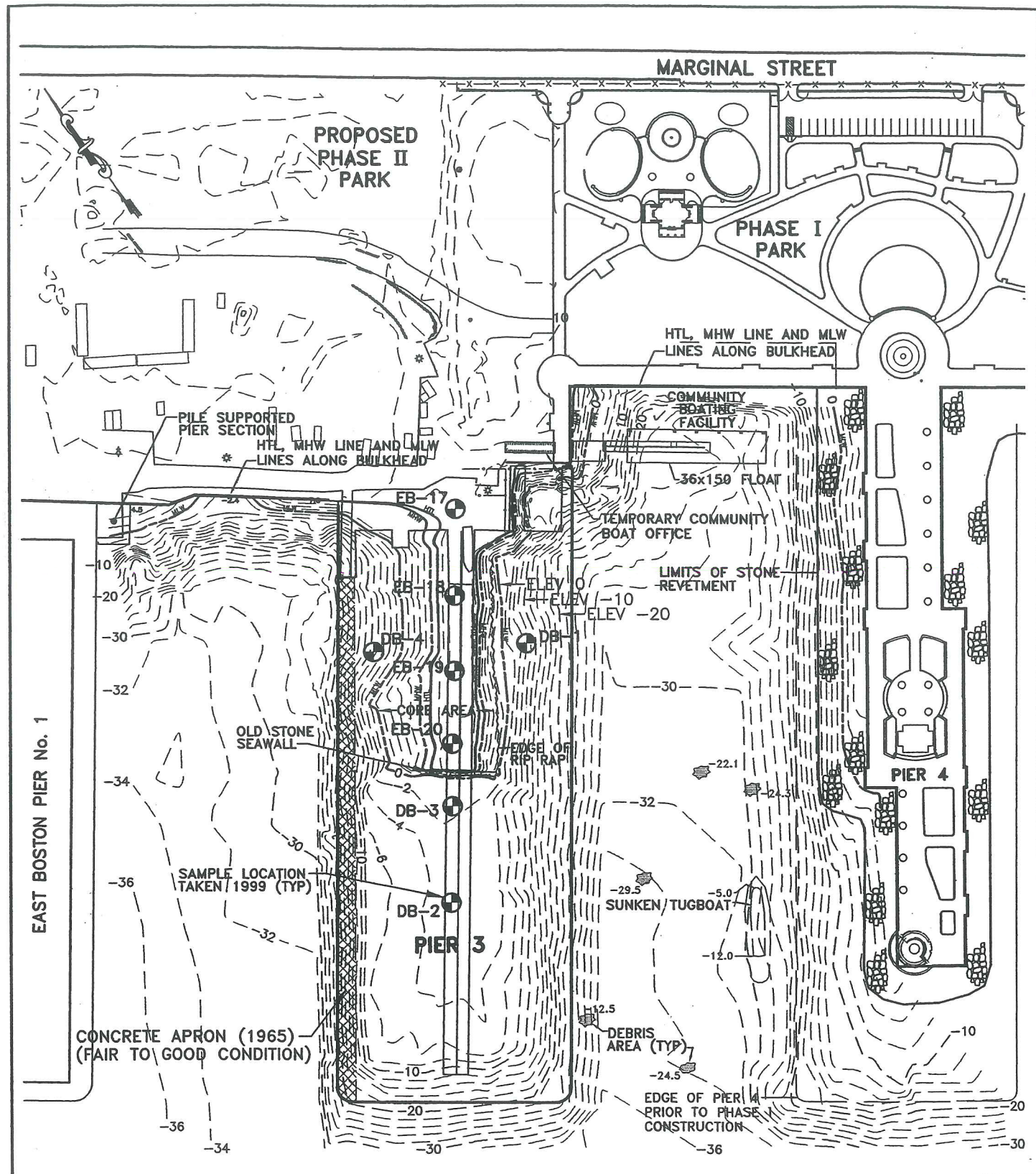
NOTE: Notice of the public hearing, including its date, time, and place, will be posted in the City or Town Hall not less than forty-eight (48) hours in advance.

NOTE: You also may contact your local Conservation Commission or the nearest Department of Environmental Protection Regional Office for more information about this application or the Wetlands Protection Act. To contact DEP, call: the Northeast Region: (978) 694-3200.

Attachment C

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PROJECT PLANS



DATUM: MLW=0.0  
MHW=9.9  
HTL=12.3

150 0 150  
SCALE IN FEET

## EXISTING SITE PLAN

AT: BOSTON INNER HARBOR

COUNTY: SUFFOLK, MA

APPLICATION BY:  
MASSACHUSETTS  
PORT AUTHORITY

DATE: MAR 2000 SHEET 4 OF 12  
REVISED



LEGEND:

HA18-1



DESIGNATION AND  
APPROXIMATE LOCATION OF  
PROPOSED TEST BORING OVER  
WATER TO COMPLETE  
PRELIMINARY DESIGN (50%SD).



NOTES

1. BASEPLAN OBTAINED FROM GOOGLE  
EARTH IMAGE ON 5 MARCH 2019.

HALEY  
ALDRICH

PROPOSED EXPLORATION  
LOCATION PLAN

NOT TO SCALE  
MARCH 2019

G:\132640 - Piers Park Phase 3\SD phase  
ajulian



HA18-1



LEGEND: DESIGNATION AND  
APPROXIMATE LOCATION OF  
PROPOSED TEST BORING OVER  
WATER TO COMPLETE  
PRELIMINARY DESIGN (50%SD).



*Joel S. Mooney*

#### NOTES

1. BASEPLAN OBTAINED FROM GOOGLE  
EARTH IMAGE ON 5 MARCH 2019.

PIERS PARK 2

PIERS PARK 1

HA18-1



PIERS PARK 3

HA18-2



HALEY  
ALDRICH

PIERS PARK 3 BOSTON, MASSACHUSETTS

PROPOSED EXPLORATION  
LOCATION PLAN

NOT TO SCALE MARCH 2019

G:\132540 - Piers Park Phase 3\SD phase  
ajulian